



05-01-06

JFW

Docket No.: 067234-0015

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

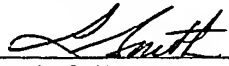
Applicant : Chee, Mark S., et al.
Appl. No. : 10/620,852
Filed : July 15, 2003
Title : MULTIPLEX NUCLEIC ACID REACTIONS

Customer No.: 41552
Confirmation No.: 2545

CERTIFICATE OF MAILING BY EXPRESS MAIL(37 CFR § 1.10)

Grp./A.U. : 1637
Examiner: : Joyce TUNG

"Express Mail" Mailing Label Number EV 643141262 US
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 28, 2006.


Lorraine Smith

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Response to the Restriction Requirement in the above-identified application.

- ☒ No additional fee is required.
☐ Applicant is entitled to small entity status under 37 CFR 1.27
☐ Also attached:


The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	103	103	0	\$25.00 =	\$0.00
Independent Claims	7	7	0	\$100.00 =	\$0.00
Multiple dependent claims newly presented					\$0.00
Fee for extension of time					\$0.00
Total of Above Calculations					\$0.00

- ☐ Please charge my Deposit Account No. 502624 in the amount of \$0.00. An additional copy of this transmittal sheet is submitted herewith.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 502624, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP


David A. Gay
Registration No. 39,200

4370 La Jolla Village Drive, Suite 700
San Diego, CA 92122
Phone: 858.535.9001 DAG:CMM
Facsimile: 858.597.1585
Date: April 28, 2006

Please recognize our Customer No. 41552 as our
correspondence address.



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Corrine Smith

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement mailed March 28, 2005, Applicants
respectfully request consideration of the following remarks.

REMARKS

Claims 1-103 are pending. The Office alleges that the claims are directed to six distinct
and independent inventions as follows:

- Group I: Claims 1-34, directed to a method of detecting a target sequence comprising
first and second probes complementary to a target;
- Group II: Claims 35-52, directed to a method of detecting the relative amounts of two
or more target sequences;
- Group III: Claims 53-73, directed to a method of amplifying a target sequence to
produce a signal within a dynamic range of a detection;